

YOU WILL RECEIVE A CERTIFICATE FOR ATTENDING THIS ORIENTATION

HOWEVER, ATTENDING THIS ORIENTATION DOES NOT MEAN YOU ARE CERTIFIED TO PROVIDE SERVICES. THIS CERTIFICATE EXPIRES ONE (1) YEAR FROM TODAY.

Certificate of Attendance
Expires 9/05/20

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Beth Malone Bergeron, LPC MHSAS Director of Certification 334-242-3961

beth.bergeron@mh.alabama.gov

Mental Illness and Substance Abuse Services Division P.O. Box 301410 Montgomery AL 36130-1410 www.mh.alabama.gov

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WHO ALL ARE UNDER THE IMPRESSION THAT MHSAS CERTIFICATION MEANS FUNDING/CONTRACT?



MHSA OFFICE OF CERTIFICATION <u>SITE REVIEW TEAM</u>

Cathy Anderson - <u>Cathy.Anderson@mh.alabama.gov</u>
Charlene Marshall - <u>Charlene.Marshall@mh.alabama.gov</u>
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Stacey Pugh, ASA - <u>Stacey.pugh@mh.alabama.gov</u>

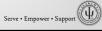


WHAT CERTIFICATION DOES NOT MEAN

ADMH Certification DOES NOT constitute a contractual agreement between Mental Health Substance Abuse Services (MHSAS) and the service provider for services. You are responsible for your funding source.



- ATTENDING THIS TRAINING WILL NOT GUARANTEE CERTIFICTION
- YOUR FUNDING SOURCE IS UP TO YOU.
- BECOMING CERTIFIED DOES NOT MEAN YOU WILL RECEIVE FUNDING OR A CONTRACT FROM ADMH OR MEDICAID.
- YOU ARE RESPONSIBLE FOR DEVELOPING A RELATIONSHIP WITH COMMUNITY MENTAL HEALTH PROVIDERS OR OTHER COMMUNITY RESOURCES FOR REFERRALS TO YOUR PROGRAM.
- EXECUTIVE DIRECTOR MUST MEET QUALIFICATIONS IN ORDER FOR APPLICATION TO BE REVIEWED. IF ED DOES NOT MEET CRITERIA, APPLICATION WILL BE DENIED
- IF YOU SUBMIT RESUME OF CLINICAL DIRECTOR WITH APPLICATION, THEY MUST MEET QUALIFICATIONS PER CODE TO BE REVIEWED. IF CD DOES NOT MEET CRITERIA, APPLICATION WILL BE DENIED.
- If request for corrections/updates to submitted policies and procedures is made three (3) times and still not compliant with Administrative Code, application will be



EXEMPTIONS TO 580-3-23

- General or psychiatric hospitals licensed as such by the Alabama Board of Public Health
- Public or private educational institutions.
- Qualified member of professions in their own private practice (such as licensed physicians, psychologists, psychiatrists, social workers, license counselor, etc.)



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IF YOU HAVE QUESTIONS REGARDING POTENTIAL **FUNDING/CONTRACT CONTACT:**

- **❖ SUBSTANCE ABUSE** Nicole Walden, Director of **Substance Abuse Treatment and Development -**Nicole.walden@mh.alabama.gov
- Mental Health Kim Hammack, Director of MI Community Programs kim.hammack@mh.alabama.gov
- PREVENTION SERVICES Beverly Johnson, **Director of Prevention Services -**Beverly.Johnson@mh.alabama.gov



CERTIFICATION APPLICATION PROCESS FEE

- \diamond A \$1500 non-refundable application fee will be assessed (cashier's check made payable to Alabama Department of Mental Health) for all new provider applications.
- The applicant will submit application along with all required. documents to the Office of Certification Administration along with the certificate you received during Potential Provider Orientation.
- The Office of Certification Administration will document receipt of the application packet and hold such until the criminal background checks and fingerprint cards are received and processed by BSI.
- The Office of Certification Administration will forward the complete application, including background check information, to the Office of MHSAS Certification for review, final approval and processing the application.

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WHY IS CERTIFICFACTION REQUIRED?

Alabama Department of Mental Health is the state agency responsible for serving Alabama citizens with mental illnesses, developmental ubstance use disorders. The department was formally established by Alabama Act 881 in 1965. ADMH's authority is defined in Code of Alabama 1975, Section 22-50-1 thru 22-50-90.

Compliance is required by LAW!

580-3-23-.02 (3) It is under this statutory authority that the Department of Mental Health requires compliance with these standards through these certification regulations by entities that hold themselves out as providers of services to persons with mental illness, developmental disabled, and/or substance abuse in the State of Alabama.



- The Director of MHSAS Certification, along with SA Treatment Services Director or designee, will review the complete packet, communicate any corrections needed to you and make recommendations regarding approval.
- Upon approval by the Office of MHSAS Office of Certification, the Office of Certification Administration will mail a letter to the agency to request the \$1500 non-refundable application fee in the form of a cashier's check made payable to Alabama Department of Mental Health from the applicant. **DO NOT MAIL CASHIER'S CHECK** UNTIL YOU RECEIVE THIS LETTER
- Once received, the Office of Life Safety and Technical Services will be notified to schedule and conduct an inspection of the property to be certified.
- When property has been given approval by Life Safety and Technical Services, the provider will be issued a Temporary Operating Authority (TOA) by the Office of Certification Administration.

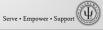




IMPORTANT LINKS:

Link to Certified Mental Health and Substance Abuse Providers

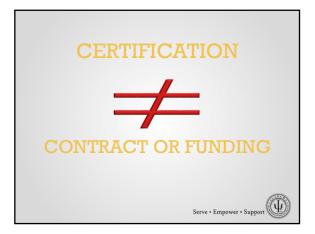
https://mh.alabama.gov/providers-search/
Be sure to look at the links above to see what type
of services are being offered in your county and
what the gaps in services may be for your area.



MHSAS Administrative Code

- https://mh.alabama.gov/wpcontent/uploads/2020/04/Mental-Health-Substance-Abuse-Services-Program-Operation-Chapter-580-2-20.pdf
- MH Administrative Code
 - http://www.alabamaadministrativecode.state.al .us/docs/mhlth/580-2-9.pdf
- SA Administrative Code
 - https://mh.alabama.gov/wpcontent/uploads/2020/05/580-9-44-With-Changes-Effective-May-15-2020.pdf

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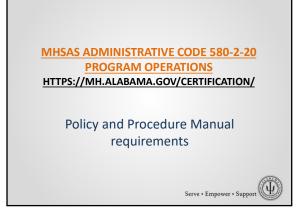


READ!
READ!
READ!
THE ADMINISTRATIVE
CODES CAREFULLY AND
COMPLETELY

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Administrative Code 580-2-20

- · It is the responsibility of potential providers to check ADMH website for updates to the Administrative Codes.
- All policies and procedures must be updated whenever there is a repeal, replacement or new Administrative Code

EXECUTIVE DIRECTOR FOR BOTH MHSAS

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580-2-20-.03 PERSONNEL

- (1) There shall be a <u>full-time executive director</u> who has overall responsibility for the operation of the agency. The executive director shall:
 - (a) Have at least a master's degree in Public Health, Business Administration, Public Administration, Psychology, Counseling, Social Work or related field and at least five years managerial experience in a mental health or substance abuse treatment setting; or
 - (b) Have a Bachelor's Degree in Public Health, Business Administration, Public Administration, Psychology, Counseling, Social Work or related field and at least ten (10) years managerial experience in mental health or substance abuse treatment setting.

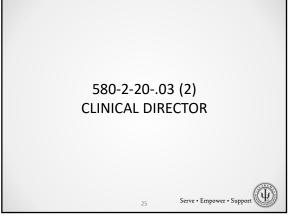
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> 580-2-20-.03 (1) **EXECUTIVE DIRECTOR**

- Notify MHSAS of changes in Executive Director.
- > (d) Be verified for compliance with ADMH Administrative Code by ADMH MHSAS certification process.





- (c) Notify MHSAS of changes in Executive Director.
 (d) Be verified for compliance was a DNALLA desire intention.
- (d) Be verified for compliance with ADMH Administrative Code by ADMH MHSAS certification process.

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580-2-20-.03 (3) BUSINESS MANAGER/CHIEF FINANCIAL OFFICER OR EQUIVALENT

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•(2) There shall be a full-time Clinical Director (in addition to the Executive Director) who has full-time responsibility for the quality of clinical care and the appropriateness of clinical programs as delineated in the job description. The Clinical Director shall:

- (a) Have a minimum of either a master's degree in psychology, social work, counseling, or psychiatric nursing and have a minimum of 3 years post master's relevant clinical experience or be a physician who has completed an approved residency in psychiatry.
- (b) For agencies who provide substance abuse treatment services, have a license or a substance abuse counselor certification credential from the Alabama Association of Addiction Counselors, National Association of Alcoholism and Drug Abuse Counselors, Alabama Alcohol and Drug Abuse Association, or International Certification and Reciprocity Consortium/Alcohol and Other Drug Abuse, Inc.

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BUSINESS MANAGER/CHIEF FINANCIAL
OFFICER OR EQUIVALENT
FOR BOTH MHSAS

- (a) The financial accounting operations of a service provider organization with a total annual budget exceeding \$750,000 shall be supervised by a full time employee or contracted service who has the following qualifications:
 - ≥ 1. At least a bachelor's degree in accounting or business, finance, management, public administration, with at least three (3) college accounting courses.
 - >2. At least two years accounting experience.



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- **(b)** The financial accounting operations of a service provider organization with a total annual budget less than \$750,000 shall be supervised by an employee or contracted service who/which has the following qualifications:
 - ▶ 1. Demonstrated familiarization with Generally Accepted Accounting Principles and;
 - At least two (2) years accounting/bookkeeping experience.



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IMPORTANT INFORMATION REGARDING ANY CHANGES IN ED OR CD

- ❖If there is a change in Executive Director, you must:
 - Notify ADMH Office of Certification Administration ASAP so that a background and fingerprint packet can be mailed to new ED or Interim ED and
 - Complete certification application and other appropriate paperwork - resume, job description, transcripts and new organizational chart
- ❖If there is a change in Clinical Director, you must:

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Notify ADMH Office of Certification Administration ASAP and complete and submit certification application and other appropriate paperwork - resume, job description, transcripts and new organizational chart



580-2-20-.02 Governing Body. The agency shall maintain and have the following documents/information

- Each agency shall have written board (1) Each agend approved operational policies.
- (2) Each agency shall have articles of incorporation (or charter) and bylaws.

available for review onsite:

- (3) E organizational chart. Each agency shall have a current
- (4) Each agency shall have a written mission statement that is approved by the Governing Body/Board of

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580-2-20-.02 GOVERNING BODY

> 580-2-20-.02 Governing Body

≥ 580-2-20-.05 Infection Control

management/

> 580-2-20-.04 Recipient Protection

>580-2-20-.06 Incident Management— procedures— must include

MHSAS required procedures as well as your agency's.

https://mh.alabama.gov/quality-improvement-and-risk-

>580-2.20-.07 Performance Improvement



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- Each agency shall have in written form the responsibilities of the Governing Body/Board of Directors.
- Records/minutes of Governing Body/Board of Directors meetings shall be maintained and available for review.
- The Governing Body/Board of Directors shall assure compliance with 580-3-26, Human Rights Committee in ADMH Certified Programs.
- The Governing Body/Board of Directors shall assure compliance with applicable federal, state, and local laws. Reviews by the Alabama Department of Mental Health only certify compliance with Administrative Code issued by it.



580-2-20-.04 RECIPIENT PROTECTION

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(9) The Governing Body/Board of Directors shall have a policy and procedures. The Governing Body/Board of Directors shall have procedures. The Governing Body/Board of Directors shall have procedures on when implementation of updates to agency's policies and procedures will

(10) The Governing Body/Board of Directors shall ensure agency has indexed Policies and Procedures Manual which shall, minimally, contain each of the required written policies, procedures, practices, plans, and processes as specified by MHSA Administrative Code. All policies and procedures contained within the Policies and Procedures Manual shall:

Obtain advisory input by the programs' staff, clients, their families, and client advocates, as appropriate that may be garnered from surveys, advisory committees, suggestions, etc.

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(b) Be consistent with ADMH Mental Health and Substance Abuse Services Administrative Code relative to recipient

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Recipient definition - a person with serious emotional disturbance, serious mental illness and/or substance use disorder served in program programmatically certified by ADMH.

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> (11)The Policies and Procedures Manual shall be:

(a) Updated as needed and approved according to written procedures established by the Governing Body/Board of Directors.

(b) Reviewed and approved, at least, on an annual basis by the Governing Body/Board of Directors with this review process documented in writing.

Easily accessible to all agency personnel and available at each certified service/program location.

(d) Accessible for review by ADMH upon request.

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(1) There must be written policies and procedures that protect the recipient's welfare, the manner in which the recipient is informed of these protections, and the means by which these protections will be enforced. The legal guardian of a minor, except where the minor is above the age of fourteen (14) and chooses not to involve parents consistent with state law, will be given a copy of the recipient's rights and a copy of the grievance policies. Documentation must exist, unless waived by a minor at or above the age of fourteen (14) that demonstrates that family members of a minor receive a copy of the recipient's rights, written information and grievance policies. Any reference to "written" notification in these rules indicates that the recipient is entitled to receive information in their preferred language and manner understood by the recipient.

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Upon admission, and as soon as clinically appropriate, recipients are informed on an individual basis concerning services offered and fees for these services, with information presented in the recipient's preferred language and in terms appropriate to the recipient's condition and ability to understand. The program shall provide the recipient/lawful representative with written notification upon admission and when any changes or limitations in services or fees occur. Recipients who are primarily responsible for payment of charges for services are informed in writing of their eligibility for reimbursement by third party payers for service rendered and assisted as needed with application.

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- (g) To the development of an individualized unique service/treatment plan formulated in partnership with the program's staff, and to receive services based upon that plan.
- To the availability of an adequate number of competent, qualified, and experienced professional clinical staff to ensure appropriate implementation of the recipient's service/treatment plan.
- (i) To the provision of care as according to accepted clinical practice standards within the least restrictive and most integrated setting appropriate.
- (j) To be educated about the possible significant adverse effects of the recommended treatment, including any appropriate and available alternative treatments, services, and/or providers.
- (k) To express preference regarding the selection of service provider(s).

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- (3) The agency shall develop, maintain, and document implementation of written policies and procedures that:
 - Describe the mechanisms utilized for implementation and protection of recipient rights, which shall include at a minimum:
 - 1. Informing the recipient of his/her rights at the time of admission in recipient's preferred language and in a manner understood by the recipient, and as needed throughout the service
 - 2. Providing the recipient with a copy of the rights, in a medium that the recipient understands, at admission and documenting this process in the recipient's record.
 - 3. Prominently posting copies of the rights throughout the facility in which services are provided.



- To service delivery that is absent of abuse and neglect including but not limited to:
 - 1. Physical abuse.
 - 2. Sexual abuse.
 - Harassment.
 - Physical punishment.
 - Psychological abuse, including humiliation.
 - Threats.
 - 7. Exploitation.
 - 8. Coercion.
 - 9. Fiduciary abuse.
- (m) To be protected from harm including any form of abuse, neglect, or mistreatment.



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- The written policies and procedures shall, at a minimum, address the following rights:
 - (a) To privacy.
 - (b) To confidentiality.
- (c) To be informed of the person(s) who has primary responsibility for the recipient's treatment and clinical care.
- (d) To participate fully in all decisions related to treatment and clinical care provided by the agency.
- (e) To be provided with appropriate information to facilitate informed decision making regarding treatment.
- (f) To the provision of services in a manner that is responsive to and respectful of the recipient's strengths, needs, and abilities and preferences, including preference of language.

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- To report without fear of retribution, any instances of perceived abuse, neglect, or exploitation.
- To provide input into the agency's service delivery processes through recipient satisfaction surveys and other avenues provided by the governing body.
- (p) To access upon requests all information in the recipient's mental health, substance abuse, medical, and financial records consistent with applicable laws and regulations.
 - To manage personal funds. (q)
 - (r) To access funds when the provider is payee.
 - (s) To complaint and grievance procedures.
- To be informed of the financial aspects of (t) treatment.

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- To be informed of the need for parental or guardian consent for treatment, if applicable.
- To a written statement of services to be provided.
- (w) To give informed consent prior to being involved in research or experimental projects.
- To have access to and privacy of mail, telephone communications, and visitors for recipients in residential or inpatient settings.
 - To have access to courts and attorneys.
- To enforce rights through courts or appropriate administrative proceedings.
 - (aa) To be informed of commitment status, if any.

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(bb) If committed, to be included in the community with appropriate and adequate supports on completion of or in conjunction with the terms of commitment.

To be accorded human respect and dignity on an individual basis in a consistently humane fashion.

(dd) To refuse services without reprisal except as permitted by law.

(ee) To be informed of the means for accessing advocates, an ombudsman, or rights protection services.

- (ff) To be free from seclusion, restraint, drugs, or other interventions administered for purposes of punishment, discipline, or staff convenience.
- (gg) To a well-balanced diet that meets his/her daily nutritional and special dietary needs if in inpatient or residential.
- (hh) To assistance in accessing medical and dental care, including vision and hearing services if in residential or inpatient.
- To access and utilization of appropriately prescribed medication.

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- Searches of a recipient or his/her living area and personal possessions are only conducted when it is documented that the program director deems such to be necessary for the safety and security of the recipient, others, and/or the physical environment. The recipient and a witness must be present during a search unless there is documentation why the recipient could not be present.
- (e) Each program has procedures established for conducting searches, which observe and adhere to the recipient's right to be accorded human respect and dignity on an individual basis in a consistently humane manner.
- (f) In residential programs, written policies and procedures require that staff alert recipients prior to entering recipient living areas.
- Written and informed consent must be signed by the lawful representative of a recipient less than 14 years of age before photographs are taken and the photograph is to be returned to the lawful representative upon request when the recipient is discharged.

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- (6) Confidentiality and Privacy. The agency shall develop, maintain, and document implementation of written policies and procedures that govern confidentiality and privacy of recipient information that includes, at a minimum, the following specifications:
- Policies and procedures shall comply with all state and federal laws and regulations relative to confidentiality and privacy of recipient information, including but not limited to, Confidentiality of Alcohol and Drug Abuse Patient Records, 42 C.F.R. Part 2 and Part 8, and the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. Pts. 160 &

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- Each program affords every recipient the right to privacy relative to their treatment and care, unless contraindicated by clinical determination made by professional staff for therapeutic or security purposes. The agency shall ensure:
- Emergency determinations limiting privacy shall be reviewed and documented frequently.
- Each program respects recipients' privacy during toileting, bathing, and personal hygiene activities.
- Each program allows recipients to converse privately with others and to have private access to telephone and visitors at reasonable hours.

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- Each program ensures that access to clinical records is restricted to individuals, entities, and instances permitted by applicable state and federal laws and
- No recipient's record(s) is released to other individuals or agencies without the written, informed consent of the recipient except for requests in accordance with state and federal laws and regulations (e.g. emergencies) and so documented.
- Each program is responsible for the safekeeping of each recipient's records and for securing it against loss, destruction, or use by unauthorized persons.

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- Each program has established procedures regarding the content of a recipient's records and procedures for release or disclosure of parts thereof, in accordance with state and federal laws and regulations.
- (a) Upon request by a recipient/lawful representative for access to the contents of his/her records, the program makes a clinical assessment to determine whether such access would or would not be detrimental to the recipient's health or present a threat of physical harm to a third party. Additional requests may be made at any time.
- (b) Each program has established an appeals procedure regarding denial of the disclosure of the content of a recipient's records.



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- (9) Recipients shall manage their personal funds unless there is a payee, guardian, or similar appointee who manages the account for them
- Program admissions shall not be contingent upon payee status.
- Any limitations placed by the provider on a recipient's right to manage his or her personal funds shall be time limited and can only be made:
- After a specific assessment of the recipient's ability 1. to manage funds,
- After the recipient has been fully informed of the limitation, and
- 3. In consideration of the recipient's individual treatment plan as it relates to personal finances.

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- Prior to or promptly upon admission, each program provides every recipient/lawful representative a concise written statement and verbal orientation, in their preferred language and terms appropriate for the recipient to understand, of rights and responsibilities and complaint procedures along with procedures to be followed to initiate, review, and resolve allegations of rights violations.
- (a) Each program obtains from the recipient a written verification of receipt of statement of rights and grievance procedure information.

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The provider must establish a written, Board approved policy

The procedures for recipients to gain access to their personal funds when the provider is the representative payee or otherwise the custodian of the recipients' personal funds.

Any limitations on the manner and frequency in which funds can be accessed.

Any limitations on the amount of funds that can be kept in the recipient's personal possession in a residential program.

4. Requirements for the provider on the management, at least quarterly accounting of all expenditures, and reporting of recipient personal funds when the provider is the representative payee or custodian of personal funds.

5. Requirements for obtaining the consent of the recipient or lawful representative for the provider to manage recipient's personal funds when the provider is not the representative payee.

Any expenditure must be exclusively for the recipient's use or 6. benefit

(d) Funds in excess of what is needed to maintain the recipient's personal fund account will be placed in an interest bearing account accrued to the recipient's account. Funds in excess of what is needed to maintain the recipient's

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- (b) At a minimum, the complaint/grievance procedures shall include:
- 1. The name and telephone number of a designated local contact within the program. The designated person shall be able to inform recipients of the means of filing grievances and of accessing advocates, ombudsmen, or right protection services within or outside the program.
- 2. Rights information is posted in commonly used public areas of outpatient and residential facilities where recipients receive services.
- Such notices shall include the 800 numbers of the DMH Advocacy Program, Federal Protection and Advocacy System, and local Department of Human Resources.
- Programs assure recipient access to advocates and the grievance/complaint process occurs without reprisal.

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- Recipients are informed of the need for parental or guardian consent for treatment, if appropriate
- (11) Each program will provide any recipient/lawful representative who is asked to participate in a research or experimental project full information regarding procedures to be followed before consent is sought. The information presented shall follow the General Requirements for Informed Consent as cited in the Code of Federal Regulations 45 CFR 46.116, Department of Health and Human Services, National Institute of Health, Office for Protection from Research Risks: "Protection of Human Subjects".
- (a) Each program obtains the written, informed consent of the recipient/lawful representative for participation in research or experimental procedures.
- (b) The recipient/lawful representative may withdraw or withhold consent at any time.
- The recipient's/lawful representative's withdrawal (c) of consent to participate in an experimental or research project will not be used in a coercive or retaliatory manner against the

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- (12) Without regard to competency or legal restrictions all recipients shall receive treatment and care in an environment which is safe, humane, and free from physical, verbal, or sexual abuse, neglect, exploitation, or mistreatment.
- Each program actively investigates and maintains investigation documentation for any suspected abuse and/or neglect of recipients.
- Acts or alleged acts which are applicable under state and local laws are reported for investigation and/or disciplinary action.



- (14) Attorneys and/or court representatives are allowed to visit privately and communicate with recipients at reasonable times.
- (a) Every recipient is free to access courts, attorneys, and administrative procedures or to participate in those activities generally requiring legal representation, without fear or reprisal, interference, or coercion unless otherwise restricted by a court order.

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- Each program provides each staff upon employment or promptly thereafter a written policy statement regarding abuse and neglect. The statement is prominently displayed and available in the program or facility.
 - (d) Each day and residential program employs sufficient numbers of qualified staff in accordance with approved program descriptions to protect recipients from abuse and neglect.
 - (e) Each program will inform the lawful representative of a recipient less than fourteen (14) years of age of all special incidents verbally and in writing as documented in the recipients file with the time and number called and the letter is sent the next business day after the incident.



(15) Promptly upon admission, each program or facility provides each legally committed recipient a concise written statement describing his/her commitment status, the requirements of the commitment, and the length of the commitment.

Information regarding recipient rights complaint and appeal procedures relative to legal commitment is made available to recipients in their preferred language and in terms appropriate for them to understand.

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- (13) Unless contraindicated for individualized therapeutic or security reasons, each program has in place procedures affording recipients privacy in receiving visitors, receiving and sending communications by sealed mail, direct contact and telephone communications with persons both inside and outside the facility or program.
- (a) Every recipient is allowed visitation and opportunity for private conversation with members of his/her family, friends, and significant others.
- (b) Recipients who are deaf or hard of hearing shall have ready access to adaptive telecommunication devices in order to make and receive telephone calls.
- (c) hindrance. Recipients are allowed to send and receive mail without
- (d) Recipients are provided adequate opportunities for interaction with members of the opposite sex. Specific interactions may be prohibited by the rules of the program and/or state and local laws.

 (e) No restrictions are imposed by the program which would
- prohibit the recipient from communicating with advocacy officials, the court which ordered confinement, or the recipient's legal counsel, family or significant others, or personal physician, unless legally restricted.

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- (16) Recipients legally committed to mental health services do not lose any rights to be included in the community with appropriate and adequate supports on completion of or in conjunction with the terms of commitment except as provided in the commitment order.
- (a) Prior to termination of the commitment order, the program develops, with the active participation of the recipient, a transition plan which includes referral to community support services necessary to ensure the recipient's successful transition.
- (17)Recipients are, without fear of reprisal, able to refuse treatment, except when refusals are not permitted under applicable law. Such refusal of treatment shall be documented in the recipient's record.

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- (18) Without fear of restraint, coercion, interference, discrimination, reprisal, or threat of discharge, recipients and others acting on their behalf are free to access available protection and advocacy services.
- Recipients are advised whenever special equipment, such as two way mirrors or cameras, is used. A written, informed consent must be signed by the recipient, when used in non emergency situations. Exceptional circumstance may exist when ADMH ODS provides services to recipients who are language dysfluent and incapable of giving informed consent.
- (20) Each recipient's personal liberty must be respected with services provided in the least restrictive environment necessary. Liberty and/or rights must not be abridged without notification to recipient and agency compliance with due process.



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- (22) Each program provides recipients in residential programs with safe and humane physical and psychological environment(s) in accordance with applicable federal and state laws and DMH standards of certification and licensure. Each program provides safety precautions to promote the individual welfare of all recipients. The environment shall at a minimum provide:
 - Comfortable living and sleeping areas. (a)
 - Clean and private bathroom facilities. (b)
- Attractive and adequately furnished (c) visiting and living rooms.
 - (d) Clean and comfortable dining facilities.

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- (21) Recipients of mental health and substance abuse services have the same general rights as other citizens of Alabama. A provider of such services shall assure that such rights are not abridged by the provider's policies, procedure, or practices. These rights include but are not limited to the following rights:
- To exercise rights as a citizen of the United (a) States and the State of Alabama.
- To be served through general services available (b) to all citizens.
- (c) To choose to live, work, be educated, and recreate with persons who do not have disabilities.
- To be presumed competent until a court of competent jurisdiction, abiding by statutory and constitutional provisions, determines otherwise.



- (e) Facilities and equipment for laundering services.
- (f) Safe and sturdy furnishings in good repair.
- Adequate provisions for smoking and/or (g) non-smoking preference.
 - (h) Adequate and decorative room décor.
- Space and materials for leisure time and (i) recreational activities.
- Each program ensures regular housekeeping and maintenance to assure safe and clean conditions throughout the facility or program.
- Unless contraindicated for therapeutic or security purposes, recipients are allowed regular access to the outdoors.



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- (e) To political process. To vote and otherwise participate in the
 - (f) To free exercise of religion.
- (g) To own and possess real and personal property. Nothing in this section shall affect existing laws pertaining to conveyance of personal property.
 - To make contracts. (h)
- To obtain a driver's license on the same basis as other citizens.
- (j) To social interaction with members of either sex
 - (k) To marry and divorce.
 - To be paid the value of work performed.
 - To exercise rights without reprisal.

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- (23) The recipient's personal health and hygiene needs are recognized and addressed in a safe and humane
- (24) In addition to treatment for mental or substance use disorders, every recipient is provided prompt assistance in accessing medical and dental treatment
- Recipients are either provided or referred to other health and/or dental services as deemed necessary by qualified staff.
- (b) No program prohibits a recipient from accessing dental or medical services of his/her choice. Such should not be construed to be an obligation for the program to provide/pay for such services.

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580-2-20-.05 INFECTION CONTROL Serve • Empower • Support

6. Substance Abuse Only: The provision of HIV/AIDS, Hepatitis, STD, and TB education for all program admissions either provided by the agency or by referral.

Each recipient shall have training in infection control at program admission and annually thereafter.

A formal process for screening all program admissions for

TB screening for all employees prior to initiation of duties.
 Annual screening shall occur only if there has been known exposure or evidence of ongoing TB transmission.

All staff shall be educated annually about TB including risk factors and signs and symptoms.

11. The entity shall document compliance with all laws and regulations regarding reporting of communicable diseases to the Alabama Department of Public Health.

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- The entity shall develop, maintain, and document compliance with a written plan for exposure control relative to infectious diseases that shall, at a minimum, include the following requirements:
- (a) The plan shall be inclusive of the entity's staff, recipients, and volunteers.

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580-2-20-.06 INCIDENT MANAGEMENT



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(b) The plan shall be consistent with protocols and guidelines established for infection control in healthcare settings by the Federal Center for Disease Control, and shall at a minimum include:

1. Policies and procedures to mitigate the potential for transmission and spread of infectious diseases within the agency.

2. All staff shall be trained in infection control. Staff shall be trained prior to working with recipients and annually thereafter.

3. Risk assessment and screening of recipients reporting high risk behavior and symptoms of communicable disease.

Procedures to be followed for recipients known to have an infectious disease.

Provisions to offer directly or by referral to all recipients who voluntarily accept the offer for HIV/AIDS early intervention services to include, HIV pre-test and post-test counseling and case management and referral services, as needed, for medical care

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- (1) Each provider shall develop and implement written policies and procedures to support compliance with the most recent published ADMH MHSAS Incident Management Plan.
- $\ensuremath{\text{(2)}}$. The provider's Incident Management Plan shall comply with all local, state and federal laws.
- (3) The provider shall provide training for all staff prior to initiation of duties and as needed thereafter on agency's policies and procedures to support compliance with the most recent published ADMH MHSAS Incident Management Plan.
- (4) The provider shall provide training for all staff prior to initiation of duties and annually thereafter on agency's policies and procedures regarding abuse and neglect.
- (5) Agency staff members responsible for conducting/supervising investigations shall attend training(s) as required by ADMH.



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ADMH INCIDENT MANAGEMENT PLAN

https://mh.alabama.gov/wpcontent/uploads/2019/02/IMP-Part-B-Final.pdf

(2) The PI System shall be described in writing and shall include, at a minimum, the following characteristics:

- Identifies and covers all program service areas and functions including subcontracted recipient services.
- (b) Is reviewed and approved by the Board of Directors/Governing Body at least every two (2) years and when revisions are made.
- (c) Outlines the agency's mission related to Performance Improvement.
- Contains the agency's goals and objectives related (d) to Performance Improvement.
- (e) Defines the organization of PI activities and the person(s) responsible for coordinating the PI System.
- (f) Defines the methodology for the assessment, evaluation, and implementation of improvement strategies for important processes and outcomes.

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580-2-20-.07 Performance Improvement

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(g) Specifies the manner in which communication of Performance Improvement findings and recommendations for all six (6) PI components is done at the governing body, clinical and administrative supervisory levels, staff levels, recipients, families and advocates and the manner in which it is documented.

(h) At a minimum, identifies and monitors important processes and outcomes for the six (6) components of Performance Improvement, Quality Improvement, Incident Prevention and Management, Utilization Review, Recipient and Family Satisfaction, Review of Treatment Plans, and Seclusion and Restraint (if applicable) consistent with the definitions described in this section.

(i) Specifies that the agency will participate in all required performance indicators and Quality Improvement Reporting requirements as specified by the ADMH Mental Health and Substance Abuse Services.

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- The Performance Improvement (PI) System shall provide meaningful opportunities for input concerning the operation and improvement of services from recipients, family members, recipient groups, advocacy organizations, and advocates. The provider shall operate and maintain a Performance Improvement (PI) System that is designed to:
- Identify and assess important processes and (a) outcomes.
 - (b) Correct and follow-up on identified problems.
 - (c) Analyze trends.
- Improve the quality of services provided, and (d) to improve recipient and family satisfaction with services provided.

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- (j) Requires that the person(s) responsible for coordinating the agency's PI System or designee attend training on ADMH MHSAS approved Incident Management process.
- (k) Specifies the manner of cross-departmental and cross-discipline staff input from all levels of the agency regarding the selection of QI indicators to be monitored and improvement activities to be implemented.
- (I) Specifies the manner of recipient and family member input regarding the selection of QI indicators to be monitored and improvement activities to be implemented.
- (m) Where applicable, ensures that the manner of data collection assures recipient/family member confidentiality.
 - The plan is implemented as written.

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- (3) The Quality Improvement component of the PI System shall, at a minimum, include indicators to be monitored including any system. anan, at a minimum, include indicators to be monitored including any system level performance measures as specified by the ADMH MHSAS and the following:
- (a) A description of a process for periodic and timely review of any deficiencies, requirements, and Quality Improvement suggestions related to critical standards from DMH Certification site visits, Advocacy visits, and/or from other pertinent regulatory, accrediting, or licensing bodies. This shall include a specific mechanism for the development, implementation, and evaluation of the effectiveness of Action Plans designed to correct deficiencies and to prevent reoccurrence of deficiencies cited.
- (b) A description of a process for conducting an administrative review of a representative sample of recipient records to determine that all documentation required by these standards and agency policy/procedure is present, complete, and accurate. This function may be performed by the agency's Electronic Health Record (EHR).



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- Stability in Housing:
- (1) Outcome: Increased stability in housing.
- Measure: Increase in/no change in (II)number of recipients in stable housing situation from date of first service to date of last service.
 - Social Connectedness:
- (1) Outcome: Increased social supports/social connectedness.
- Measure: Increase in or no change in number of recipients in social/recovery support activities from date of first service to date of last service.
- The entity shall provide reports of outcomes to DMH in the manner, medium and period specified.

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- (c) A review of aggregate findings from the administrative review of recipient records at least annually with recommendations and actions taken for improvement as indicated by the data, unless performed by the agency's EHR.
- (d) The Plan shall specify frequency of monitoring for each indicator and the period of time that monitoring will continue after goal attainment is achieved.
- (e) The Plan shall specify that the agency shall participate in System Level activities (including the use of DMH sanctioned External Monitoring) to assess and to identify actions for improvement.

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The Incident Prevention and Management System component of the PI System shall include, at a minimum, the following:

- PI review of special incident data. (a)
- Includes and describes a process for the timely (b) and appropriate review of special incident data at least quarterly via the PI System. Such reviews shall focus on the identification of trends and actions taken to reduce risks and to improve the safety of the environment of care for recipients, families, and staff members.
- Identify and implement a quality improvement (c) plan for medication errors for residential programs.
- Findings and recommendations from the (d) quarterly Special Incident reviews shall be reported at least quarterly to the executive and clinical leaders including the Board of Director/Governing Body.
- Pertinent data regarding improvement (e) Pertinent data regarding improvement strategies shall be communicated to staff level employees.

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- Substance Abuse Only Outcome Measures:
- At a minimum, the entity shall collect information at time of assessment and at transfer or discharge to provide measures of outcome as specified in the following domains:
 - (i) Reduced Morbidity:
 - Outcome: Abstinence from drug/alcohol use.
- (11) Measure: Reduction/no change in frequency of use at date of last service compared to date of first service
 - (ii) Employment/Education:
- (1) Outcome: Increased/Retained Employment or
- Return to/Stay in School.
- Measure: Increase in/no change in number of employed or in school at date of last service compared to first service.

 (iii) Crime and Criminal Justice:

 - (1) Outcome: Decreased criminal justice involvement.
- (II) Measure: Reduction in/no change in number of arrests in past thirty (30) days from date of first service to date of last service.

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- (5) The Recipient and Family Satisfaction component of the PI System shall include tools to assess the satisfaction of recipients and families with services provided and to obtain input from recipients and their families regarding factors which impact the care and treatment of recipients. This component shall include at a minimum the following characteristics:
- (a) A description of the mechanism for obtaining recipient input regarding satisfaction with service delivery and outcomes.
- (b) A description of the mechanisms for obtaining family member input regarding satisfaction with service delivery and outcomes for recipients.
- A description of the mechanism for obtaining input from recipients and family members when either are deaf, limited English proficient, or illiterate.

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- A periodic review (at least annually) of data collected via the tools as described above.
- A periodic review (at least annually) of complaints/grievances filed according to the process required in 580-2-9 .02(3). <u>580-2-20-.04 (8)</u>
- Identifies agency specific performance indicators for recipient and family satisfaction.

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- (g) Substance abuse agency's shall assess the satisfaction of recipients and families, including but not limited to the following:
- The recipient's perception of the outcome of services.
- The recipient's perception of the quality of the therapeutic alliance
- Other perceptions of recipients and families that impact care and treatment, including, but not limited to:
 - (i) Access to care.
 - (ii) Knowledge of program information.
 - (iii) Staff helpfulness.



- (7) The treatment review component shall include, at a minimum, the following characteristics:
 (a) A description of the process for conducting a clinical review of a sample of all direct service staff records every 12 months to determine that the case has been properly managed. The review shall include an assessment of the following:
- The appropriateness of admission to that program is relative to published admission criteria.
 - Treatment plan is timely
 - Treatment plan is individualized.
- 4. Documentation of services is related to the treatment plan and addresses progress toward treatment objectives.
- 5. There is evidence of attempts to actively engage recipient, family and collateral supports in the treatment process to include linguistic and/or auxiliary support services for people who are deaf, hard of hearing, or limited English proficient as well as any other accommodations for other distributions.
- Treatment plan modified (if needed) to include linguistic and/or auxiliary support services for people who are deaf, hard of hearing, or limited English proficient as well as any other accommodations for other disabilities.

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- (b) An aggregate review of the clinical review findings described above at least annually to assess trends and patterns and to determine actions for improvement based on findings.
- The organization collects restraint and seclusion data in order to ascertain that restraint and seclusion are used only as emergency interventions, to identify opportunities for incrementally improving the rate and safety of restraint and seclusion use, and to identify any need to redesign care process.

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- (6) The Utilization Review (UR) component of the PI system shall include the following:
- (a) The agency shall perform at least quarterly reviews of the findings from the UR monitor for all MI residential programs and for all SA levels of care. At a minimum, this review will assess the agency's compliance with Length of Stay (LOS) expectations and will determine and implement actions to improve performance when variations in Length of Stay (LOS) expectations occur.
- The agency shall review at least annually a representative sample in each certified program to assess the appropriateness of admission to that program relative to published admission criteria.

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(9) Using a recipient identifier, data on all restraint and seclusion episodes are collected from and classified for all settings/units/locations at the frequency determined by the agency on by:

- (a)
- Staff and title of who initiated the process. (b)
- Length of each episode. (c)
- Date and time each episode was initiated. (d)
- (e) Date and time each episode was ended.
- (f) Day of the week each episode was

initiated.

- (g) Type of restraint used.
- Description of injuries sustained by the individual or staff, if applicable.

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(i) Age of the individual.

(i) Gender of the individual.

(k) Multiple instances of restraint or seclusion experienced by an individual within a 12-hour timeframe.

(I) Number of episodes per individual.

(m) Instances of restraint or seclusion that extend beyond two (2) consecutive hours.

(n) Use of psychoactive medications, including name of medication and dosage, as an alternative to, or to enable discontinuation of, restraint and seclusion.

(o) Documentation of the one hour face to face physical and behavioral assessment.

(p) Documentation of the debriefing/trauma check within twenty-four (24) hours.

ours.

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MENTAL HEALTH SERVICES ADMINISTRATIVE
CODE CHAPTER 580-2-9 and
MHSAS ADMINISTRATIVE CODE 580-2-20
PROGRAM OPERATIONS
HTTPS://MH.ALABAMA.GOV/CERTIFICATION/

Policy and Procedure Manual requirements

Mental Illness Programs

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ALL PROVIDERS MUST HAVE POLICIES AND PROCEDURES THAT ADDRESS THE FOLLOWING:

DEPARTMENT OF MENTAL HEALTH MENTAL ILLNESS COMMUNITY PROGRAMS
ADMINISTRATIVE CODE CHAPTER 580-2-9

TABLE OF CONTENTS

• 580-2-9.01 Type Of Certificate

• 580-2-9.03 Mental Illness Program Staff and

580-2-20-.02 Personnel

• 580-2-9.05 Reserved

• 580-2-9.06 Consumer Records

• 580-2-9.08 General Clinical Practice

All must be in policy and procedure manual

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▶580-2-20-.02 Governing Body

≻580-2-20-.04 Recipient Protection

>580-2-20-.05 Infection Control

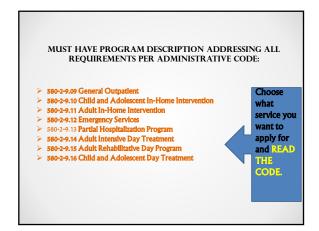
>580-2-20-.06 Incident Management - procedures - must include

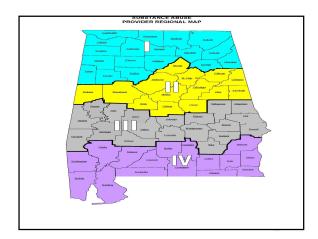
MHSAS required procedures as well as your agency's.

https://mh.alabama.gov/quality-improvement-and-risk-

management/

>580-2.20-.07 Performance Improvement





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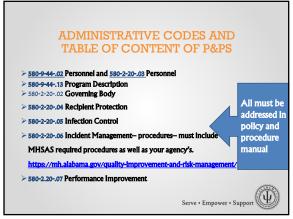
580-2-9.17 Case Management
 580-2-9.18 Residential Services
 580-2-9.19 Designated Mental Health Facility
 580-2-9.20 Consultation and Education
 580-2-9.21 Assertive Community Treatment
 580-2-9.22 Program for Assertive Community Treatment
 580-2-9.23 Child and Adolescent Seclusion and Restraint
 580-2-9.24 Adult Seclusion and Restraint
 580-2-9.25 Therapeutic Individualized Rehabilitation Services

SUBSTANCE ABUSE SERVICES
ADMINISTRATIVE CODE CHAPTER 580-9-44
and
MHSAS ADMINISTRATIVE CODE 580-2-20
PROGRAM OPERATIONS
HTTPS://MH.ALABAMA.GOV/CERTIFICATION/

Policy and Procedure Manual requirements

104 107





Other personnel requirements:

- · Substance abuse staff must meet requirements per Administrative Code and if not licensed or certified they must be eligible for professional licensure or certified as a substance abuse professional:
 - http://www.aadaa.us or
 - http://www.naadac.org/about



RESIDENTIAL SERVICES

- 580-9-44-.20 Level III.01: Transitional Residential
- 580-9-44-.21 Level III.1: Clinically Managed Low
- Intensity Residential Treatment Program 580-9-44-.22 Level III.2-D: Clinically Managed Residential Detoxification
- 580-9-44-.23 Level III.3: Clinically Managed Medium Intensity Residential Treatment Program
- For Adults 580-9-44-.24 Level III.5: Clinically Managed Medium Intensity Residential Treatment Program For Adolescents



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"WHAT SUBSTANCE ABUSE SERVICES DO YOU **WANT TO PROVIDE?"**

Choose what service you want to apply for and



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RESIDENTIAL SERVICES

- 580-9-44-.25 Level III.5: Clinically Managed High Intensity Residential Treatment Program For
- 580-9-44-.26 Level III.7: Medically Monitored Intensive Residential Treatment Program For Adults
- 580-9-44-.27 Level III.7: Medically Monitored High Intensity Residential Treatment Program For Adolescents
- 580-9-44-.28 Level III.7-D: Medically Monitored Residential Detoxification



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OUTPATIENT OR INTENSIVE OUTPATIENT

- > 580-9-44-.14 Level 0.5: Early Intervention
- > 580-9-44-.15 Level I: Outpatient Treatment
- > 580-9-44-.16 Level I-D: Ambulatory Detoxification Without Extended On-Site Monitoring
- > 580-9-44-.17 Level II.1: Intensive Outpatient Treatment
- > 580-9-44-.18 Level II.5: Partial Hospitalization **Treatment Program**
- > 580-9-44-.19 Level II-D: Ambulatory Detoxification With Extended On-Site Monitoring

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ADMINISTRATIVE CODE REQUIREMENTS

FOR

SUBSTANCE ABUSE

- Must be trained on the 6 dimensions of American Society of Addiction Medicine (ASAM).
- Must use ADMH Approved Screening Tool (found as a part of the MHSAS Integrated Placement Assessment:
 - UNCOPE (ADULTS)
 - **CRAFT (ADOLESCENTS)**
- Must use the DMH Integrated Placement Assessment Tool for assessing the client needs:

https://mh.alabama.gov/assessment-tools/





POLICY AND PROCEDURE MANUAL

- A policy and procedures manual is a crucial tool for running a business.
- It serves as a consistent source for organizational policy, which are the overall regulations that govern the business, and the procedures that define how those policies will be implemented.
- A policy and procedure manual exists to answer the who, what, when, where and how of operations. It spells out for all employees what is expected of them and how to accomplish it.
- It contains instructions on how to perform a task.
- It ensures routine jobs get performed safely and in compliance with the Administrative Code.



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PREVENTION SERVICES 580-9-47

Visit: https://mh.alabama.gov/prevention/



- Your policy and procedure manual can be a three-ring binder, a folder on a network share drive. What's important is that everyone understands what constitutes your policy and procedure manual and where a policy or procedure can be found when someone needs it.
- Your policy and procedure manual will be unique to your agency and programs and should contain the required minimum policies listed in the Administrative Code.
- Therefore, you must be familiar with the entire Administrative Code and other laws that pertain to operating a behavior health program such as HIPPA, 42 C.F.R. Part 2, Evidence Based Practices for the population you intend to serve.



116 119

- > 580-9-47-.01 Definitions do not include in application
- > 580-9-47-.02 Personnel
 - > Full-time Executive Director
 - > Prevention Director
- > Prevention Service Provider
- > 580-9-47-.03 Prevention Records
- > 580-9-47-.04 Community Planning
- > 580-9-47.05 Prevention Strategies
- > 580-9-47.06 Performance Improvement
- > Must have approved Prevention Plan



- Procedures are really about communication.
- Your employees need to understand what is expected of them.
- Your employees need a procedures manual to reference for training.
- Your supervisors need a policy manual to reference for managing business processes.
- By documenting your procedures, you are communicating what is important for growth, quality, and customer satisfaction.



- Your **POLICY** is the Administrative Code.
- **Use the Administrative Code numbers**
- Your **PROCEDURE** is the who, what, what, when, where and how of operations.
- · It spells out for all employees what is expected of them and how to accomplish it.
- It contains instructions on how to perform a task.
- · It ensures routine jobs get performed safely and in compliance with the Administrative Code.



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DO NOT JUST CUT AND PAST **ADMINISTRATIVE CODE** YOU MUT HAVE A PROCEDURE/PROCESS

122 125

Activity:

Administrative Code: 580-2-20-.04 (3) Recipient Protection.

- Describe the mechanisms utilized for implementation and protection of recipient rights, which shall include at a minimum:
- Informing the recipient of his/her rights at the time of admission in recipient's preferred language and in a manner understood by the recipient, and as needed throughout the service delivery process.
- 2. Providing the recipient with a copy of the rights, in a medium that the recipient understands, at admission and documenting this process in the recipient's record.
- Prominently posting copies of the rights throughout the facility in which services are provided.

Procedure: What would your procedure be?



Sample P&P for Administrative Code 580-2-20-

(3) YOUR Agency has developed, maintains, and documents implementation of written policies and procedures which:

(a) describes the methods utilized for implementation and protection of recipient rights, and includes at a minimum:

- 1. Recipients of our services are informed of their rights upon
- Recipients of our services are informed of their rights upon admission in writing in the recipient's preferred language and in a manner they can understand. Recipients are reminded of their rights throughout the service delivery process as needed.
 During the intake process, YOUR Agency provides the recipient with a copy of their rights. This is documented in an intake note and the recipient signs the electronic record indicating they received information about their rights as a consumer of ADMH-certified services in writing and in a language and method they understand.
 AVILIP Agency pack: "Young Your Pipiths" in each lights quarter in the process of the proces
- 3. YOUR Agency posts "Know Your Rights" in each living quarters, in offices and in client group rooms.

APPLICATION REQUIREMENTS

- ✓ POLICY AND PROCEDURE MANUAL
- ✓ Criminal Background Check information sent as instructed
- Articles of Incorporation
- Board By-laws and Board duties/responsibilities including a list of **Board Members**
- Program Description and application for each service you are applying for and each location you are applying
- Resumes of Executive Director, Clinical Director and Board President
- ✓ Organizational Chart



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Nurse Delegation Program and required forms http://www.mh.alabama.gov

- <u>For residential services</u>, there shall be a registered nurse or licensed practical nurse as a full-time or part-time employee or a consultant to the provider who is responsible for supervision of delegation of medication assistance to the unlicensed personnel.
- Access to an on-call nurse must be available 24 hours a day,
- Provider will implement policies and procedures approved by their Board of Directors requiring full compliance with the Alabama Board of Nursing regulation 610X7.06 Alabama **Department of Mental Health Residential Community** Programs.



FAILURE TO HAVE ALL REQUIRED DOCUMENTS SUBMITTED AT THE TIME OF APPLICATION WILL DELAY THE ALREADY LENGHTY REVIEW PROCESS.

POLICIES AND PROCEDURES MUST MEET ALL PARTS OF ADMINISTRATIVE CODE(S) 100%.





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WHEN SUBMITTING APPLICATION,
PLEASE DO NOT STABLE DOCUMENTS

DO NOT PUT IN A BINDER OR
NOTEBOOK

ONLY USE LARGE BINDER CLIPS OR RUBBER BANDS





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The ADMH Mission: Serve • Empower • Support

The ADMH Vision:

Promoting the health and well-being of Alabamians with mental illness, developmental disabilities and substance use disorders



Thank you